

AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1457

Introduced by Senator Anderson

February 24, 2012

An act to ~~amend~~ *add and repeal* Section ~~131050~~ of the Health and Safety ~~4658~~ of the Fish and Game Code, relating to ~~public health~~ fish and game, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1457, as amended, Anderson. ~~State Department of Public Health.~~
Fish and game: wild pig depredation.

Existing law requires a person to procure, as specified, either a hunting license and a wild pig tag or a depredation permit in order to take a wild pig, except as specified. Existing regulations prohibit a person with a hunting license and a wild pig tag from taking a wild pig between one-half hour after sunset and one-half hour before sunrise. Existing regulations authorize a person with a depredation permit to take a wild pig during the hours specified in the permit.

This bill would authorize a person to take a wild pig in San Diego County at any time without procuring either a hunting license and a wild pig tag or a depredation permit during the period from July 1, 2012, until June 30, 2016, inclusive.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Diego.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law requires the State Department of Public Health to succeed to, and be vested with, all the duties, powers, purposes, functions, responsibilities, and jurisdiction of the former State Department of~~

~~Health Services as they relate to public health, licensing and certification of health facilities, or any other functions formerly performed by, or under the supervision of, specified positions and entities.~~

~~This bill would make a technical, nonsubstantive change to this provision.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~no~~^{yes}. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4658 is added to the Fish and Game Code,
2 to read:

3 4658. (a) The Legislature finds and declares that the wild pig
4 is an invasive pest in San Diego County.

5 (b) Notwithstanding Sections 4652 and 4181 or any other
6 provision of law, a person may take a wild pig in San Diego County
7 at any time during the period from July 1, 2012, until June 30,
8 2016, inclusive. During this period, that person shall not be
9 required to procure either a hunting license and a wild pig tag,
10 or a depredation permit, for the taking of that wild pig.

11 (c) This section shall become operative on July 1, 2012.

12 (d) This section shall become inoperative on June 30, 2016,
13 and, as of January 1, 2017, is repealed, unless a later enacted
14 statute, that becomes operative on or before January 1, 2017,
15 deletes or extends the dates on which it becomes inoperative and
16 is repealed.

17 SEC. 2. The Legislature finds and declares that a special law
18 is necessary and that a general law cannot be made applicable
19 within the meaning of Section 16 of Article IV of the California
20 Constitution because of the unique need to control the population
21 of wild pigs in San Diego County.

22 SEC. 3. This act is an urgency statute necessary for the
23 immediate preservation of the public peace, health, or safety within
24 the meaning of Article IV of the Constitution and shall go into
25 immediate effect. The facts constituting the necessity are:

26 In order to address the threat that wild pigs pose to property
27 and public safety in San Diego County at the earliest possible time,
28 it is necessary for this act to take effect immediately.

29 SECTION 1. ~~Section 131050 of the Health and Safety Code~~
30 is amended to read:

1 ~~131050. (a) As set forth in this article, the State Department~~
2 ~~of Public Health shall succeed to, and be vested with, all the duties,~~
3 ~~powers, purposes, functions, responsibilities, and jurisdiction of~~
4 ~~the former State Department of Health Services as they relate to~~
5 ~~public health, licensing and certification of health facilities, and~~
6 ~~any other functions performed immediately preceding the operative~~
7 ~~date of this section by, or under the supervision of, all of the~~
8 ~~following:~~

9 ~~(1) The Deputy Director for Prevention Services of the former~~
10 ~~State Department of Health Services, excluding the Office of~~
11 ~~Clinical Preventive Medicine.~~

12 ~~(2) The Deputy Director for Licensing and Certification.~~

13 ~~(3) The Deputy Director for Health Information and Strategic~~
14 ~~Planning.~~

15 ~~(4) The Deputy Director for Public Health Emergency~~
16 ~~Preparedness.~~

17 ~~(5) The California Conference of Local Health Officers.~~

18 ~~(6) The Deputy Director for Primary Care and Family Health~~
19 ~~as follows: Maternal, Child and Adolescent Health as set forth in~~
20 ~~Part 2 excluding Articles 5, 5.5, 6, and 6.5 of Chapter 3, Part 3,~~
21 ~~Part 5 excluding Articles 1 and 2 of Chapter 2, Part 7 and Part 8,~~
22 ~~of Division 106.~~

23 ~~(b) It is the intent of the Legislature that, in implementing this~~
24 ~~article, the duties, powers, purposes, and responsibilities transferred~~
25 ~~to the State Department of Public Health shall include those~~
26 ~~formerly performed by the programs of the former State~~
27 ~~Department of Health Services set forth in this article, provided,~~
28 ~~however, that nothing in this article shall be construed to require~~
29 ~~that the State Department of Public Health be organized according~~
30 ~~to programs described in this article, or to limit the authority or~~
31 ~~discretion of the State Public Health Officer pursuant to Section~~
32 ~~11152 of the Government Code to organize the State Department~~
33 ~~of Public Health, unless that organization is otherwise required by~~
34 ~~law. Nothing in this article shall be construed to require that the~~
35 ~~State Department of Public Health maintain, or refrain from~~
36 ~~terminating, any program described in this article except to the~~
37 ~~extent that maintenance of the program is otherwise required by~~

- 1 ~~law. Nothing in this article shall be construed to limit or expand~~
- 2 ~~the authority of any program described in this article.~~

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